

ALLEGED SHIPMENT: On or about December 2, 1949, and January 30, 1950, from the State of Oklahoma into the State of Arkansas.

LABEL, IN PART: "Rose Lawn Strawberry [or "Vanilla" or "Chocolate"] Ice Cream Rose Lawn Dairy, Muskogee, Oklahoma" and "Honey Boy Bar Chocolate Coated Ice Cream Bar Made By Walker Creamery Company Miami, Oklahoma."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted; Section 402 (b) (2), a product containing vegetable fat had been substituted for ice cream; and, Section 402 (b) (4), vegetable fat had been added to, and mixed and packed with, the product so as to reduce its quality.

Misbranding, Section 403 (a), the label designations "Ice Cream" and "Ice Cream Bar" were false and misleading since the products contained vegetable fat.

DISPOSITION: September 7, 1950. Pleas of nolo contendere having been entered the court imposed a joint fine of \$100 against the defendants.

16579. Adulteration of dried skim milk. U. S. v. 17,025 Pounds * * *.
(F. D. C. No. 29218. Sample Nos. 70828-K, 70829-K.)

LIBEL FILED: May 11, 1950, District of Kansas.

ALLEGED SHIPMENT: On or about March 24 and 31, 1950, by the Ashley Milk Co., from Linn, Mo.

PRODUCT: 17,025 pounds (78 barrels) of dried skim milk at Kansas City, Kans.

LABEL, IN PART: "Human Food—Dried Skim Milk."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its obnoxious odor.

DISPOSITION: August 10, 1950. The Ashley Milk Co., St. Louis, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for use in the manufacture of poultry or stock feed, under the supervision of the Federal Security Agency.

EGGS

16580. Adulteration of dehydrated eggs. U. S. v. 9 Barrels * * *. (F. D. C. No. 29349. Sample No. 73742-K.)

LIBEL FILED: June 7, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about December 31, 1948, from Terre Haute, Ind.

PRODUCT: 9 barrels of dehydrated eggs at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 25, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as stock feed.

16581. Adulteration and misbranding of frozen egg yolks. U. S. v. 15 cans * * *. (F. D. C. No. 29497. Sample No. 71222-K.)

LIBEL FILED: July 21, 1950, Southern District of California.

ALLEGED SHIPMENT: On or about March 27, 1950, by the Dickey Davis Produce Co., from Phoenix, Ariz.

PRODUCT: 15 30-pound cans of frozen egg yolks at Los Angeles, Calif.

LABEL, IN PART: "Packed by Food Processors, Inc., Norfolk, Nebraska Egg Yolks."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product the egg component of which was deficient in total egg solids had been substituted for a product the egg component of which should contain not less than 43 percent total egg solids.

Misbranding, Section 403 (a), the label designation "Egg Yolks" was false and misleading as applied to the product, the egg component of which contained less than 43 percent total egg solids.

DISPOSITION: August 17, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization.

FEEDS AND GRAINS

16582. Misbranding of Super Culture all purpose feed and Special dairy feed. U. S. v. William Hite (Super Culture Sales Co.); (2 informations). Plea of guilty. Imposition of sentence suspended and defendant placed on probation for 2 years. (F. D. C. Nos. 25567, 25575. Sample Nos. 24397-K to 24399-K, incl.)

INFORMATIONS FILED: November 24, 1948, and March 14, 1949, District of Minnesota, against William Hite of Mankato, Minn., trading as the Super Culture Sales Co., at Sioux City, Iowa.

INTERSTATE SHIPMENT: On or about December 9, 1946, and July 2 and September 22, 1947, from the State of Iowa into the State of Minnesota.

ALLEGED VIOLATIONS: (First information). Between the approximate dates of December 15, 1946, and December 12, 1947, while the Super Culture all purpose feed was being held for sale after shipment in interstate commerce, the defendant, at Lake Crystal, Minn., caused certain circulars entitled "Super Culture Feed" and "Guarantee and Refund Contract" to accompany the article, which acts resulted in the article being misbranded.

(Second information). On or about September 23, 1947, the defendant received a quantity of Special dairy feed in interstate commerce at Mankato, Minn., from Sioux City, Iowa, and proffered and delivered such article for pay or otherwise.

PRODUCT: Analyses disclosed that the Super Culture all purpose feed consisted of a reddish-colored mixture containing protein (14.90% and 16.51%, respectively, in 2 samples), crude fiber and crude fat, together with salt, soda, iron oxide, and cereal bran; and that the Special dairy feed consisted essentially of a reddish-colored mixture containing 18.60% sulfanilamide and 10% protein, and crude fiber and crude fat, together with salt, soda, iron oxide, cereal bran, and anise.

NATURE OF CHARGE: Super Culture all purpose feed. Misbranding, Section 403 (a), certain statements in the circulars accompanying the article were false and misleading. These statements represented and suggested that the article would increase the food value of grains; that it would be efficacious in the cure, mitigation, and treatment of flu, spleen trouble, rickets, abortion, jaundice, worms, and necro in hogs; that the mixing of the article with grain would give